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Washington DC 20005

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SEP 25 2009

OFFICE OF PETITIONS

In re Patent No. 7,302,606	:	
Issue Date: November 27, 2007	:	
Application No. 10/600,828	:	DECISION ON PETITION
Filed: June 23, 2003	:	
Attorney Docket No. 29287/140	:	

This is a decision on the Request for Certificate of Correction Pursuant To 37 CFR 1.323 & 1.323 & Petition, filed March 18, 2008, requesting correction on the Title Page of the subject patent, via issuance of a Certificate of Correction under 37 CFR 1.323, to identify the name of omitted assignee. A completed Certificate of Correction Form accompanied the petition.

The petition under 37 CFR 3.81 is **GRANTED**.

Petitioner urges that the present Petition was submitted to add the omission of the first assignee's name on the previously submitted PTOL-85B and that such omission was accidentally. Accordingly, petitioner requests that a Certificate of Correction be issued to add the accidentally omitted assignee's name to the Title Page of the Letters Patent.

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

The petition was accompanied deposit account authorization to charge any required fees. As such, the requisite \$100.00 fee (Fee Code 1811) and the \$130.00 processing fee (Fee Code 1464), as set forth under 37 CFR 1.17(i), have been charged as authorized in the petition. Further, Office assignment records are consistent with the requested correction. Accordingly, since the Petition complies with the provisions of 37 CFR 3.81(b), it is appropriate for the Office

to issue a Certificate of Correction in accordance with the content of the Form that accompanied the present Petition.

Inquiries related this communication should be directed to Cheryl Gibson-Baylor at (571)272-3213.

Any questions concerning the issuance of a Certificate of Correction should be directed to the Certificates of Correction Branch at (571) 272-4200.

This matter is being referred to the Certificates of Correction Branch for processing of a Certificate of Correction in U.S. Patent No. 7,302,606.

A handwritten signature in black ink, appearing to read 'BWB', with a long horizontal flourish extending to the right.

Brian W. Brown
Petitions Examiner
Office of Petitions

PATENT

Docket No.: 29287/140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/389857
CONT

APPLICANTS: Takeo FUJIMOTO, *et al.*
SERIAL NO. : 10/600,828
FILED : 23 June 2003
FOR : FAULT RECOVERY METHOD AND A STORAGE CONTROLLER IN
AN INFORMATION PROCESSING APPARATUS

PATENT NO. : 7,302,606 B2 Issued 27 November 2007

Mail Stop - Petitions
COMMISSIONER FOR PATENTS
Customer Service Window
Randolph Bldg.
401 Dulany Street
Alexandria, VA 22314

Attention: Mary F. Diggs

**RESPONSE TO REQUEST FOR PETITION AND FEE FOR CERTIFICATE OF
CORRECTION**

PURSUANT TO 37 C.F.R. §1.322 & §1.323 & 3.81(b)

SIR:

In response to the notification claiming that items B and C were not included, submitted herewith is an exact copy of the Request for Certificate of Correction and Petition and Certificate of Correction as filed on 19 March 2008, together with the stamped postcard.

Please note that the Petition under 3.81(b) was included and the fees of \$100.00 plus the petition fee of \$130.00 were charged in the original request and petition to Deposit Account No. 11-0600.

A copy of the response to the Request for Certificate of Correction is enclosed.

Issuance of the enclosed certificate of correction as originally filed correcting the applicants' information is respectfully requested.

Respectfully submitted,

Dated: 04 November 2008

/Shawn W. O'Dowd/

Shawn W. O'Dowd

(Reg. No. 34,687)

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
(202) 220-4200

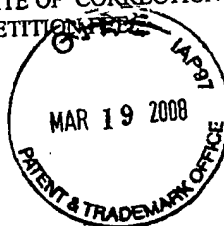
09/25/2009 CKHL0K 00000009 110600 10600828
01 FC:1811 100.00 DA
02 FC:1464 130.00 DA

The stamp of the Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of

INVENTOR : Takeo FUJIMOTO, et al.
PATENT NO. : 7,302,606 B2
ISSUED : 27 November 2007

Enclosed:

1. REQUEST FOR ISSUANCE OF A CERTIFICATE OF CORRECTION & PETITION
CHARGE ACCOUNT \$100.00 PLUS \$130.00 PETITION FEE
2. CERTIFICATE OF CORRECTION



SWO/is

29287/140

03/18/08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Takeo FUJIMOTO, *et al.*
SERIAL NO. : 10/600,828
FILED : 23 June 2003
FOR : FAULT RECOVERY METHOD AND A STORAGE CONTROLLER IN
AN INFORMATION PROCESSING APPARATUS
PATENT NO. : 7,302,606 B2 Issued 27 November 2007

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Randolph Bldg.
401 Dulany Street
Alexandria, VA 22314

**REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. §1.322 & §1.323 & PETITION**

SIR:

It is respectfully requested that the enclosed certificate of correction be issued for the above Patent under authority of 35 USC §354 & §355.

Please charge Deposit Account No. 11-0600 in the amount of \$100.00 to cover the fee under 37 C.F.R. 1.20(a).

PETITION UNDER 3.81(b)

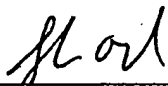
The first assignee was accidentally omitted on the issue fee transmittal form. The assignment to both assignees, Hitachi, Ltd. and Hitachi Software Engineering Co., Ltd., was recorded at Reel 010229, Frame 0642 in parent application Serial Number 09/389,857.

Please charge Deposit Account No. 11-0600 in the amount of \$130.00 to cover the petition fee.

A copy of this sheet is enclosed for that purpose.

Respectfully submitted,

Dated: 18 March 2008


Shawn W. O'Dowd
(Reg. No. 34,687)

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
(202) 220-4200

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 7,302,606 B2 Page 1 of 1
DATED : 27 November 2007
INVENTOR(S) : Takeo FUJIMOTO, et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Title Page: After the listing of the inventors and before “(*) Notice:” change the assignee information to read as follows:

--(73) Assignee: Hitachi, Ltd., Tokyo (JP); and Hitachi Software Engineering Co., Ltd., Yokohama (JP)--.

MAILING ADDRESS OF SENDER:

Patent No.: 7,302,606 B2

Shawn W. O'Dowd
KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, DC 20005



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Patent No. : 7,302,606 B2
Serial No. : 10/600,828
Inventor(s) : Fujimoto et al.
Issued : November 27, 2007
Title : **FAULT RECOVERY METHOD AND A
STORAGE CONTROLLER IN AN INFORMATIN
PROCESSING APPARATUS**
Docket No. : 29287/140

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of 37 CFR 1.322 and/or 1.323.

A petition under 37 CFR 3.81 must be filed and granted to fulfill your request, to date, there is no petition on record to consider your request.

Furthermore, Assignees' and/ or Co-assignees' names and addresses (assignment data) printed in a patent are based *solely* on information supplied in the appropriate space for identifying the assignment data, i.e., item 3 of the Fee(s) Transmittal Form PTOL-85B. After payment of the issue fee, correction of assignment data submitted on the PTOL-85B can only be done by Certificate of Correction under 37 CFR 1.323, which requires petition under 37 CFR 3.81(b).

A request for a patent to be corrected to state the name of the assignee must:

- A. state that the assignment was submitted for recordation as set forth in 37 CFR 3.11 before issuance of the patent;
- B. include a request for a certificate of correction under 37 CFR 1.323 along with the fee set forth in 37 CFR 1.20(a); and
- C. include the processing fee set forth in 37 CFR 1.17(i).

If the request is granted, Certificates of Correction Branch will be notified that a Certificate of Correction may be issued.

See Manual of Patent Examining Procedure, Section 1481.01 (Rev. 3) (Oct. 2005).

Applicant has not included items B and/or C above, accordingly, the request for Certificate of Correction to add or change the assignee data is dismissed.

Any request under 37 CFR 3.81(b) should be directed to the following address or facsimile number:

By mail: Mail Stop PETITIONS

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: 571-273-8300 ATTN: Office of Petitions

If a fee (currently \$100) was previously submitted for consideration of a Request for Certificate of Correction, under CFR 1.323, to correct assignment data, no additional fee is required.

If, the petition under 37 CFR 1.182 (required fee currently \$130), is filed and granted, the patentee would be entitled to a certificate of correction under 37 CFR 1.323 (required fee currently \$100).

Ernest C. White, *LIE*
For Mary F. Diggs (703) 308-9390 x 125
Decisions & Certificates
of Correction Branch
(703) 308-9390 x 122

KENYON & KENYON LLP
Suite 700
1500 K Street, N.W.
Washington DC 20005

ecw

Continuity/Reexam Information for 09/389857

Parent Data

No Parent Data

Child Data

10600828, filed on 06/23/2003 ,now U.S. Patent #7302606 is a continuation of **09389857** , filed on 09/02/1999 ,now abandoned

Appln Info

Contents

Petition Info

Atty/Agent Info

Continuity/Reexam

Foreign Data

Inventors

Search Another: Application # **or Patent#**
PCT / **/** **or PG PUBS #**
Attorney Docket #
Bar Code #

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.
Back to [OASIS](#) | Home page

Patent Assignment Abstract of Title

Total Assignments: 1

Application #: 09389857

Filing Dt: 09/02/1999

Patent #: NONE

Issue Dt:

PCT #: NONE

Publication #: NONE

Pub Dt:

Inventors: TAKEO FUJIMOTO, HISAO HONMA, KATSUHIRO OKUMOTO

Title: FAULT RECOVERY METHOD AND A STORAGE CONTROLLER IN AN INFORMATION PROCESSING APPARATUS

Assignment: 1

Reel/Frame: 010229 / 0642

Received: 09/16/1999

Recorded: 09/02/1999

Mailed: 11/17/1999

Pages: 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: FUJIMOTO, TAKEO

HONMA, HISAO

OKUMOTO, KATSUHIRO

SAKAGUCHI, OSAMU

Exec Dt: 08/24/1999

Exec Dt: 08/24/1999

Exec Dt: 08/24/1999

Exec Dt: 08/24/1999

Assignees: HITACHI, LTD.

6, KANDA SURUGADAI 4-CHOME, CHIYODA-KU

TOKYO 101-8010, JAPAN

HITACHI SOFTWARE ENGINEERING CO., LTD.

6-81 ONOE-CHO, NAKA-KU YOKOHAMA-SHI

6, KANDA SURUGADAI 4-CHOME, CHIYODA-KU

KANAGAWA-KEN 231-0015, JAPAN

Correspondent: KENYON & KENYON

EDWARD W. GREASON

ONE BROADWAY

NEW YORK, NY 10004

Search Results as of: 09/24/2009 12:01 PM

RAM Fee History
Query
Revenue Accounting and Management

Name/Number: 10600828

Total Records Found: 6

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Fee Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
10/16/2007	00000145	<u>1</u>	<u>1504</u>	\$300.00	10/15/2007	DA 110600
10/16/2007	00000146	<u>1</u>	<u>8001</u>	\$15.00	10/15/2007	DA 110600
10/16/2007	00000144	<u>1</u>	<u>1501</u>	\$1,440.00	10/15/2007	DA 110600
06/07/2007	00000001	<u>1</u>	<u>1201</u>	\$800.00	05/29/2007	DA 110600
05/30/2007	00000234	<u>1</u>	<u>1251</u>	\$120.00	05/29/2007	DA 110600
06/25/2003	00000006	<u>1</u>	<u>1001</u>	\$750.00	06/23/2003	DA 110600
